

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hugh R. Sharkey et al. Art Unit : 3739
Serial No. : 09/664,473 Examiner : David M. Shay
Filed : September 18, 2000
Title : IN VIVO FORMED THERMALLY CONTRACTED COLLAGEN TISSUE

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the references listed on the attached PTO-1449 form. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed.

A courtesy copy of the Information Disclosure Statement and PTO Form 1449 filed August 22, 2006 is also attached. Applicants note that they have not received an initialed copy of the PTO Form 1449 and request that the Examiner forward an initialed copy.

This statement is being filed within three months of the filing date of the application or before the receipt of a first Office Action on the merits. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 24, 2006

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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 14170-043002	Application No. 09/664,473
Information Disclosure Statement by Applicant (Use several sheets if necessary)		Applicant Hugh R. Sharkey et al.	
		Filing Date September 18, 2000	Group Art Unit 3739
(37 CFR §1.98(b))			

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	4,140,130	02/20/1979	Storm, III			
	AB	4,565,200	01/21/1986	Cosman			
	AC	4,685,459	8/11/1987	Koch et al.			
	AD	5,137,530	08/11/1992	Sand			
	AE	5,168,880	12/08/1992	Sogawa et al.			
	AF	5,540,681	07/30/1996	Strul et al.			
	AG	5,718,702	02/17/1998	Edwards			
	AH	5,735,846	04/07/1998	Panescu et al.			
	AI	6,096,029	08/01/2000	O'Donnell, Jr.			
	AJ	6,113,591	09/05/2000	Whayne et al.			
	AK	6,171,306	01/09/2001	Swanson et al.			
	AL	6,241,753	06/05/2001	Knowlton			
	AM	6,277,116	08/21/2001	Utely et al.			
	AN	6,350,276	02/26/2002	Knowlton			
	AO	6,425,912	07/30/2002	Knowlton			
	AP	6,430,446	08/06/2002	Knowlton			

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AQ	96/00036	01/04/1996	PCT			X	
	AR	96/00040	01/04/1996	PCT			X	
	AS	96/39967	12/19/1996	PCT			X	
	AT	0 479 482	05/01/1996	Europe			X	
	AU	0 480 639	04/15/1992	Europe			X	
	AV	0 521 595	05/12/1999	Europe			X	

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
Examiner Signature		Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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(37 CFR §1.98(b))			

Other Documents (include Author, Title, Date, and Place of Publication)


Examiner Initial	Desig. ID	Document
	AW	Shuyter, "Radiofrequency Lesions in the Treatment of Cervical Pain Syndromes", <u>RADIONICS, INC.</u> (1989)
	AX	Cosman et al., Theoretical Aspects of Radiofrequency lesions in the Dorsal Root Entry Zone, Vol. 15, No. 6 (1984), pp. 945-950.
	AY	Wilkins et al., "Method of Making Nervous System Lesions", <u>Neurosurgery</u> , ch. 337, pp. 2490-2499.
	AZ	Gottlob et al.; "Holmium: YAG Laser Ablation of Human Intervertebral Disc: Preliminary Evaluation", <u>LASERS IN SURGERY AND MEDICINE</u> , Vol. 12, (1992) pp. 86-91.
	BA	Kuhns, J. et al., "Laser Injury in Skin", <u>Laboratory Investigation</u> , Vol. 17, No. 1, 1-13 (1967).
	BB	Anderson, R., et al., "Selective Photothermolysis: Precise Microsurgery by Selective Absorption of Pulsed Radiation", <u>Science</u> , Vol. 220, 524-527 (April 1983).

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EGF

Attorney's Docket No. 14170-043002	Express Mail Label No.	Mailing Date August 22, 2002	<i>For PTO Use Only</i> <i>Do Not Mark in This Area</i>
Application No. 09/664,473	Filing Date September 18, 2000	Attorney/Secretary Init. PKK/BXD/egf	
Title of the Invention IN VIVO FORMED THERMALLY CONTRACTED COLLAGEN TISSUE			
Applicant Hugh R. Sharkey et al.			
Enclosures -Information Disclosure Statement (1 page) -Forms PTO-1449 and PTO-892 (21 pages) and 2 cited references -Request for Corrected Official Filing Receipt (1 page plus 2 pages of attachment)			

CKP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hugh R. Sharkey et al. Art Unit : 3739
Serial No. : 09/664,473 Examiner : D. Shay
Filed : September 18, 2000
Title : IN VIVO FORMED THERMALLY CONTRACTED COLLAGEN TISSUE

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Applicant submits the attached forms PTO-1449 and PTO-892.

Under 35 USC §120, this application relies on the earlier filing date of application serial number 08/696,051, filed on September 18, 2000, and 08/637,095, filed April 24, 1996. Attached hereto are twenty-one (21) pages of Forms PTO-1449 and PTO-892 that were submitted to and/or cited by the Office in the prior applications and, therefore, are not provided in this application. Also submitted herewith is a new PTO-1449 with two articles that were submitted in connection with Applicants' arguments in a response in parent application Serial no. 08/696,051.

This statement is being filed within three months of the filing date of the RCE in the present application or before the receipt of a first Office action on the merits. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: Aug. 22, 2002



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(37 CFR §1.98(b))			

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	AA						
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	AF						
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	AH						
	AI						
	AJ						
	AK						

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							Yes	No
	AL							
	AM							
	AN							
	AO							
	AP							

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AQ	Fine, B.S., and Yanoff, Y., <u>Ocular Histology</u> , 2 nd Ed., pp. 130-159, Harper & Row, Hagerstown, Maryland, 1979
	AR	Zinn, K.M., and Mockel-Pohl, S., "The Lens and Zonules," <u>Ocular Fine Structure for the Clinician</u> , Vol. 13, No. 3, 1973, pp. 143-155
	AS	
	AT	

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

**INFORMATION DISCLOSURE
CITATION**
PTO-1449
ATTY. DOCKET NO.

17616-729

SERIAL NO.

08/696,051

APPLICANT Hugh Sharkey et al.

FILING DATE August 13, 1996

GROUP 3739

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,381,007	4/26/83	Doss	128	303.1	
	4,955,378	9/11/90	Grasso	128	421	
	5,423,815	6/13/95	Fugo	606	50	
	5,230,334	7/27/93	Klopotek	128	399	
	5,603,709	2/18/97	Johnson	606	5	
	5,741,245	4/21/98	Cozean et al.	606	5	
	6,036,688	3/14/00	Edwards	606	34	
	6,079,417	6/27/00	Fugo	128	898	

FOREIGN PATENT DOCUMENTS

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						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER
DATE CONSIDERED

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08/637095

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NOTICE OF REFERENCES CITED

APPLICANT(S)

Lax et al

U.S. PATENT DOCUMENTS

* A	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A	3 7 3 6 2 3 0	12/4/73	Nafe	604	20	
B	5 2 0 1 7 3 0	4/15/73	Cooley et al	606	14	
C	5 3 0 4 1 6 9	4/14/74	Sand	606	5	
D	5 4 5 8 5 7 6	10/17/95	Lax et al	606	31	
E	5 4 6 5 7 3 7	8/14/95	Schackan	606	5	
F	5 5 6 7 2 4 2	10/29/96	Lax et al	606	41	
G						
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I						
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K						

FOREIGN PATENT DOCUMENTS

* L	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PRIORITY DATE	PP
L								
M								
N								
O								
P								
Q								

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	
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EXAMINER

DATE

8/14/97

 * A copy of this reference is not being furnished with this office action.
 (See Manual of Patent Examining Procedure, section 707.05 (a).)

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO. 17616-784		SERIAL NO. 08/637,095		
		APPLICANT Lax et al.				
		FILING DATE April 24, 1996		GROUP 3736		
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	3,178,728	4-20-65	Christensen	3	1	10-22-62
	3,579,643	5-25-71	Morgan	3	1	12-12-68
	3,867,728	2-25-75	Substad et al.	3	1	4-5-73
	3,879,767	4-29-75	Substad	3	1	2-11-74
	3,886,600	6-3-75	Kahn et al.	3	1	9-26-73
	3,938,198	2-17-76	Kahn et al.	3	1.912	9-27-73
	3,987,499	10-26-76	Scharbach et al.	3	1.91	8-9-74
	3,992,725	11-23-76	Homsy	3	1	10-17-74
	4,043,342	8-23-77	Morrison, Jr.	128	303.14	2-26-76
	4,085,466	4-25-78	Goodfellow et al.	3	1.91	8-4-77
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
	637118	15/12/78	U.S.S.R.	A61B	17/39	XX
	1 340 451	12/12/73	Great Britain	A61B	1/00	
	1,122,634	11/09/56	France	A61B	19/0	XX
	0 479 482 B1	08/04/92	Europe	A61B	17/39	
	0 479 482 B1	01/05/96	Europe	A61B	17/39	
	0 542 412 A1	19/05/93	Europe	A61B	17/39	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
Christian, C. et al., "Allograft Anterior Cruciate Ligament Reconstruction with Patellar Tendon: An Endoscopic Technique", <i>Operative Techniques in Sports Medicine</i> , Vol. 1, No. 1, Jan. 1993, pp. 50-57.						
Houpt, J. et al., "Experimental Study of Temperature Distributions and Thermal Transport During Radiofrequency Current Therapy of the Intervertebral Disc", <i>SPINE</i> , Vol. 21, No. 15, (1996), pp. 1808-13.						
Troussier, B. et al., "Percutaneous Intradiscal Radio-Frequency Thermocoagulation: A Cadaveric Study", <i>SPINE</i> , Vol. 20, No. 15, (Aug. 1995), pp. 1713-18.						
EXAMINER			DATE CONSIDERED			

INFORMATION DISCLOSURE CITATION PTO-1449			ATTY. DOCKET NO. 17616-784		SERIAL NO. 08/637,095		
			APPLICANT Lax et al.				
			FILING DATE April 24, 1996		GROUP 3736		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,129,470	12-12-78	Homsy	156	155	6-7-76	
	4,224,696	9-30-80	Murray et al.	3	1.911	9-8-78	
	4,224,697	9-30-80	Murray et al.	3	1.911	9-8-78	
	4,326,529	4-27-82	Doss et al.	128	303.1	12-5-79	
	4,344,193	8-17-82	Kenny	3	1.911	11-28-80	
	4,362,160	12-7-82	Hiltebrandt	128	303.15	7-17-80	
	4,375,220	3-1-83	Matvias	128	804	5-9-80	
	4,381,007	4-26-83	Doss	128	303.1	4-30-81	
	4,397,314	8-9-83	Vaguine	128	399	8-3-81	
	4,483,338	11-20-84	Bloom et al.	128	303.13	6-12-81	
	4,517,965	5-21-85	Ellison	128	20	6-27-83	
	4,517,975	5-21-85	Garito et al.	128	303.14	6-6-83	
	4,593,691	6-10-86	Lindstrom et al.	128	303.14	7-13-83	
	4,597,379	7-1-86	Kiln et al.	128	1 R	3-30-83	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 572 131 A1	01/12/93	Europe	A61B	17/39		
	WO 85/02762	04/07/85	PCT	A61B	17/39		XX
	WO 93/01774	04/02/93	PCT	A61F	7/12		XX
	WO 95/20360	03/08/95	PCT	A61B	17/39		
	WO 95/30373	16/11/95	PCT	A61B	17/00		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
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			FILING DATE April 24, 1996		GROUP 3736		
			U.S. PATENT DOCUMENTS				
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,811,733	3-14-89	Borsanyi et al.	128	303.14	12-29-86	
	4,873,976	10-17-89	Schreiber	128	334 R	2-28-84	
	4,894,063	1-16-90	Nashef	623	13	5-24-83	
	4,895,148	1-23-90	Bays et al.	606	213	3-22-89	
	4,907,585	3-13-90	Schachar	606	28	12-3-87	
	4,907,589	3-13-90	Cosman	606	34	4-29-88	
	4,924,865	5-15-90	Bays et al.	606	77	5-16-88	
	4,944,727	7-31-90	McCoy	604	95	10-2-87	
	4,950,234	8-21-90	Fujioka et al.	604	60	5-25-88	
	4,966,597	10-30-90	Cosman	606	50	11-4-88	
	4,976,709	12-11-90	Sand	606	5	6-30-89	
	4,976,715	12-11-90	Bays et al.	606	77	1-30-90	
	4,998,933	3-12-91	Eggers et al.	606	41	6-10-88	
	5,007,908	4-16-91	Rydell	606	47	9-29-89	
	5,009,656	4-23-91	Reimels	606	48	8-17-89	
	5,100,402	3-31-92	Fan	606	41	10-5-90	
	5,103,804	4-14-92	Abele et al.	128	4	7-3-90	
	5,178,620	1-12-93	Eggers et al.	606	41	2-22-91	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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		APPLICANT Lax et al.					
		FILING DATE April 24, 1996		GROUP 3736			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,191,883	3-9-93	Lennox et al.	128	401	5-22-90	
	5,201,729	4-13-93	Hertzmann et al.	606	2	11-30-90	
	5,213,097	5-25-93	Zeindler	128	401	7-13-92	
	5,230,334	7-27-93	Klopotek	128	399	1-22-92	
	5,242,441	9-7-93	Avitall	606	41	2-24-92	
	5,261,906	11-16-93	Pennino et al.	606	46	12-9-91	
	5,275,151	1-4-94	Shockey et al.	128	4	12-11-91	
	5,284,479	2-8-94	de Jong	604	60	7-13-92	
	5,311,858	5-17-94	Adair	128	4	6-15-92	
	5,320,115	6-14-94	Kenna	128	898	1-16-91	
	5,323,778	6-28-94	Kandarpa et al.	128	653.2	11-5-91	
	5,334,193	8-2-94	Nardella	606	41	11-13-92	
	5,348,554	9-20-94	Imran et al.	606	41	12-1-92	
	5,366,443	11-22-94	Eggers et al.	604	114	10-9-92	
	5,433,739	7-18-95	Shujter et al.	607	99	11-2-93	
FOREIGN PATENT DOCUMENTS							
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EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,484,403	1-16-96	Yoakum et al.	604	59	4-5-94	
	5,484,432	1-16-96	Sand	606	5	4-14-94	
	5,484,435	1-16-96	Fleenor et al.	606	46	11-8-93	
	5,507,812	4-16-96	Moore	623	13	4-26-94	
	5,514,130	5-7-96	Baker	606	41	10-11-94	
	5,542,920	8-6-96	Cherif Cheikh	604	57	9-12-94	
	2,090,923	8-24-37	Wappler	128	303.15	7-12-35	
	3,856,015	12-24-74	Iglesias	128	303.15	6-8-73	
	3,945,375	3-23-76	Banko	128	6	4-30-73	
	4,134,406	1-16-79	Iglesias	128	303.15	10-7-77	
	4,476,862	10-16-84	Pao	128	303.17	9-30-82	
	4,590,934	5-27-86	Malis et al.	128	303.14	5-18-83	
	4,651,734	3-24-87	Doss et al.	128	303.14	2-8-85	
	4,815,462	3-28-89	Clark	128	305	4-6-87	
	4,838,859	6-13-89	Strassmann	604	95	5-19-87	
	4,955,882	9-11-90	Hakky	606	14	3-30-88	
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	5,085,657	2-4-92	Ben-Simbon	606	42	10-9-90
	5,098,430	3-24-92	Fleenor	606	42	3-16-90
	5,186,181	2-16-93	Franconi et al.	128	804	7-27-90
	5,192,267	3-9-93	Shapira et al.	604	22	3-28-91
	5,308,311	5-3-94	Eggers et al.	606	28	5-1-92
	5,342,357	8-30-94	Nardella	606	40	11-13-92
	5,352,868	10-4-94	Denen et al.	219	501	5-1-92
	5,354,331	10-11-94	Schachar	623	4	7-15-92
	5,364,395	11-15-94	West, Jr.	606	46	5-14-93
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
	WO 92/10142	25/06/92	PCT	A61B	17/39	
	WO 93/20984	28/10/93	PCT	B26D	1/11	
	WO 95/01814	19/01/95	PCT	A61N	5/02	
	WO 95/13113	18/05/95	PCT	A61N	5/02	
	WO 95/18575	13/07/95	PCT	A61B	17/39	
	WO 96/39914	19/12/96	PCT	A61B	1/00	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Beading, L., "Bi-Polar electrosurgical devices: Sculpting the future of arthroscopy", <i>Orthopedics today</i> , Vol. 17, No. 1, January 1997, 4 pages.					
	Ellman International Mfg., Inc., 1989, Catalog, pp. 1-15, 20.					
	Cosset, J.M., "Resistive Radiofrequency (Low Frequency) Interstitial Heating (RF Technique), Interstitial Hyperthermia, 12/6/93, pp. 3-5, 37.					
	Attachment I: Competitive Literature on Generators with Bipolar Capabilities, IME Co., Ltd., pp. 60-86.					
	Attachment II: Competitive Literature on Bipolar Forceps and Footswitch Controls, DME Co., Ltd. pp. 87-104.					
EXAMINER			DATE CONSIDERED			

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO. 17616-784		SERIAL NO. 08/637,095			
		APPLICANT Lax et al.					
		FILING DATE April 24, 1996		GROUP 3736			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,366,490	11-22-94	Edwards et al.	607	99	12-22-93	
	5,382,247	1-17-95	Cimino et al.	606	33	1-21-94	
	5,397,304	3-14-95	Truckai	604	95	6-29-93	
	5,401,272	3-28-95	Perkins	606	15	2-16-94	
	5,415,633	5-16-95	Lazarus et al.	604	95	7-28-93	
	5,437,662	8-1-95	Nardella	606	40	2-17-94	
	5,451,223	9-19-95	Ben-Simhon	606	42	7-26-94	
	5,524,338	6-11-96	Martyniuk et al.	29	825	12-22-94	
	5,630,839	5-20-97	Corbett, III et al.	607	137	8-18-95	
	5,681,282	10-28-97	Eggers et al.	604	114	4-11-95	
	5,683,366	11-4-97	Eggers et al.	604	114	11-22-95	
	5,688,270	11-18-97	Yates et al.	606	51	1-18-95	
	5,697,909	12-16-97	Eggers et al.	604	114	1-2-95	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 97/06855	27/02/97	PCT	A61N	1/40		
	WO 98/07468	26/02/98	PCT	A61N	1/40		
	0 257 116 A1	02/03/88	Europe	A61N	1/36		
	0 274 705 A1	20/07/88	Europe	A61M	23/00		XX
	0 521 595 A2	07/01/93	Europe	A61M	25/01		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

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INFORMATION DISCLOSURE CITATION PTO-1449			ATTY. DOCKET NO. 17616-784		SERIAL NO. 08/637,095		
			APPLICANT Lax et al.				
			FILING DATE April 24, 1996		GROUP 3736		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 558 297 A2	01/09/93	Europe	A61M	25/00		
	0 566 450 A1	20/10/93	Europe	A61N	5/02		XX
	0 682 910 A1	22/11/95	Europe	A61B	1/00		XX
	0 729 730 A1	04/09/96	Europe	A61B	17/32		
	0 737 487 A2	16/10/96	Europe	A61M	25/01		
	0 783 903 A1	16/07/97	Europe	A61N	5/04		XX
	DE3511107A1	02/10/86	Germany	A61B	17/39		XX
	DE3632197A1	31/03/88	Germany	A61B	10/00		XX
	JP 5-42166	05/1993	Japan	A61B	17/39		XX
	2 164 473 A	19/03/86	Great Britain	A61B	17/36		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO. 17616-784		SERIAL NO. 08/637,095			
		APPLICANT Laax et al.					
		FILING DATE April 24, 1996		GROUP 3736			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,487,757	1/30/96	Truckai et al.	607	122		
	5,500,012	3/19/96	Brucker et al.	607	122		
	5,599,356	4/4/97	Edwards et al.	606	41		
	5,267,994	12/7/93	Gentella et al.	606	15		
	5,423,806	6/13/95	Dale et al.	606	15		
	4,601,705	7/22/86	McCoy	604	94		
	5,242,439	9/93	Larsen et al.	606	15		
	5,437,661	8/95	Rieser	606	15		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Auhil, Richard A., "The Use of the Resectoscope in Gynecology." Biomedical Business International, October 11, 1990, pp. 91-93.					
EXAMINER			DATE CONSIDERED				

NOTICE OF REFERENCES CITED

08/037345

3739

APPLICANT(S)

Lan et al

U.S. PATENT DOCUMENTS

* A	DOCUMENT NO.						DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A	5	6	8	3	3	6	6	11/4/97	Eggens et al	604	22
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FOREIGN PATENT DOCUMENTS

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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

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A copy of this reference is not being furnished with this office action.
(See Manual of Patent Examining Procedure, section 707.05 (a).)

INFORMATION DISCLOSURE CITATION PTO-1449			ATTY. DOCKET NO. 17616-784		SERIAL NO. 08/637,095	
			APPLICANT Ronald G. Lax			
			FILING DATE April 24, 1996		GROUP 3739	
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,074,718	2/21/96	Morrison	128	303.14	
	5,085,659	2/04/92	Rydell	606	47	
	5,464,023	11/07/95	Viera	128	772	
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
	2 645 008	3/28/89	France	A61B	17/32	
	WO 93/16648	9/02/93	PCT	A61B	17/32	
	WO 95/25471	9/28/95	PCT	A61B	17/39	
	WO 95/30377	11/16/95	PCT	A61B	17/39	
	WO 95/34259	12/21/95	PCT	A61F	5/48	
	WO 96/11638	4/25/96	PCT	A61B	17/32	
	WO 96/32051	10/17/96	PCT	A61B	1/00	
	WO 96/34571	11/07/96	PCT	A61B	17/39	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER			DATE CONSIDERED			

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U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,437,661	8/01/95	Rieser	606	15		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
Trimedyn, The Less Invasive Laser Advantage, Omni Spinal Introduction System							
PRNewswire (Dec. 12, 1994), Two Physicians Perform First Outpatient Cervical Disc Procedure Using Laser Technology							
Introduction to the LDD Disc Kit, Oct. 16, 1996							
Mayer et al., Lasers in Percutaneous Disc Surgery: Beneficial Technology or Gimmick?, Vol. 25 No.251 (1993) pp. 38-44							
Schatz et al., Preliminary Experience With Percutaneous Laser Disc Decompression in the Treatment of Sciatica, Vol. 38 No. 5, Oct. 1995, pp. 432-436							
Savitz M. A., Same-day Microsurgical Arthroscopic lateral-approach Laser-assisted (SMALL) Fluoroscopic Discectomy, Vol. 80, June 1994 pp. 1039-1045							
Bosacco et al., Functional Results of Percutaneous Laser Discectomy, Dec. 1996, pp. 825-828							
EXAMINER			DATE CONSIDERED				

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO. 17616-784		SERIAL NO. 08/637,095		
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U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
Shuijter M.E., The Use of Radiofrequency lesions For Pain Relief in Failed Back Patients, Vol. 10 No. 1 (1988)						
Cosman et al., Theoretical Aspects of Radiofrequency lesions in the Dorsal Root Entry Zone, Vol. 15 No. 6 (1984) pp. 945-950						
Wilkins et al., Neurosurgery: Method of Making Nervous System Lesions, ch. 337, pp. 2490-2499						
Yonezawa et al., The System and Procedure of percutaneous Intradiscal Laser Nucleotomy, Vol. 15 No.5 (1990) pp. 1175-1185						
Kolarik et al., Photocoagulation of Intervertebral Disc and its Herniation, (1990)						
Gottlob et al., LASERS IN SURGERY AND MEDICINE: Holmium:YAG Laser Ablation of Human Intervertebral Disc: Preliminary Evaluation, Vol. 12, (1991) pp. 86-91						
Buchelt et al., LASERS IN SURGERY AND MEDICINE: Fluorescence Guided Excimer Laser Ablation of Intervertebral Discs In Vitro, Vol. 11, (1991) pp. 280-286						
Choy et al., Percutaneous Laser Disc Decompression: A New Therapeutic Modality, Vol.17 No. 8, (1992) pp. 949-956						
Shuijter et al., Persistent Pain, Modern Methods of Treatment: Treatment of Chronic Back and neck Pain, Vol. 3, (1981) pp.141-179						
Shuijter, INT DISABIL STUDIES: The use of Radio Frequency Lesions For Pain Relief in Failed Back, Vol. 10, Sept. 4, 1996, pp. 37-43						
Shatz et al., CIS JCC Preliminary Experience With Percutaneous Laser Disc Decompression in the Treatment of Sciatica, Vol. 38 No. 5, Oct. 1995 pp. 432-436						
Gerber et al., DER ORTHOPAED: Offene Laserchirurgie am Bewegungsapparat, Vol. 25, (1996) pp. 56-63						
Gehring W. J., Exploring the Homeobox, (1993), pp. 215-221						
Kelly L.E., Purification and Properties of a 23kDa Ca ²⁺ -binding Protein, (1990) 271, pp. 661-666						
Sluyter, Radiofrequency Lesions in the Treatment of Cervical Pain Syndromes, Radionics, Inc. (1989)						
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Buchelt et al., LASERS IN SURGERY AND MEDICINE: Erb: YAG and Ho: YAG Laser Ablation of Meniscus and Intervertebral Discs, Vol. 12 No. 4, (1992) pp. 375-381					
	Lew et al., DER ORTHOPAED: Endoskopie der Wirbelsäule: Minimal-invasive Therapie, Vol. 21, (1992) pp. 267-272					
	Phillips et al., JMRI: MR Imaging of Ho: YAG Laser Discectomy with Histologic Correlation, Vol. 3 No. 3, May/June 1993					
	Bromm et al., HUMAN NEUROBIOLOGY: Nerve Fibre Discharges, Cerebral Potentials and Sensations Induced by CO ₂ laser Stimulation, Vol. 3, (1984) pp. 33-40					
	Kolarik et al., Photomicroleolysis of Intervertebral Disc and its Herniation, Vol. 51, (1990) pp. 69-71					
	Vorwerck et al., Laserablation des Nucleus Pulposus: Optische Eigenschaften von Degeneriertem Bandscheibengewebe im Wellenlängenbereich von 200 bis 2200nm, Vol. 151 No. 6, (1989) pp. 725-728					
	Wolgin et al., Excimer Ablation of Human Intervertebral Disc at 308 Nanometers, Vol. 9, (1989) pp. 124-131					
	Davis, Early experience with Laser Disc Decompression, Vol. 79 No. 1, (1992) J. Florida M.A.					
	Quigley et al., Laser Discectomy: Comparison of Systems, Vol. 19 No. 3 (1994) pp. 319-322					
	Mehta et al., The Treatment of Chronic back Pain: A Preliminary survey of the Effect of Radiofrequency Denervation of the Posterior Vertebral Joints, Vol. 34 (1979) pp. 768-775					
	Patil et al., Percutaneous Discectomy Using the Electromagnetic Field Focusing Probe: A Feasibility Study					
	McCulloch et al., CMA JOURNAL: Percutaneous Radiofrequency Lumbar Rhizolysis (rhizotomy), Vol. 116, January 8, 1977					
	Yonezawa et al., The System and Procedure of Percutaneous Intradiscal Laser Nucleotomy, Vol. 15 No. 11 (1990)					
	Sminia et al., Effects of 434 MHz Microwave Hyperthermia applied to the rat in the region of the cervical Spinal Cord, Vol. 3 No. 5 (1987) pp. 441-452					
	Sluijter et al., Treatment of Chronic Back and Neck Pain by Percutaneous Thermal Lesions, Vol. 3 (1981)					
EXAMINER			DATE CONSIDERED			

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			FILING DATE April 24, 1996		GROUP 3739	
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,364,395	11/15/94	West, Jr.			
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
	WO 82/02488	8/05/82	PCT	A61B	17/39	
	WO 93/16648	9/02/93	PCT	A61B	17/32	
	WO 95/10981	4/27/95	PCT	A61B	8/12	
	WO 95/25471	9/28/95	PCT	A61B	17/39	
	WO 96/11638	4/25/96	PCT	A61B	17/32	
	2 645 008	10/05/90	France	A61B	17/32	
	DE 39 18316	3/22/90	Germany	A61B	17/39	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
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		FILING DATE April 24, 1996		GROUP 3739			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,846,175	7/11/89	Frimberger	128	303.15		
	5,114,402	5/19/92	McCoy	604	95		
	5,152,748	10/06/92	Chastagner	604	95		
	5,279,559	1/18/94	Barr	604	95		
	5,415,633	5/16/95	Lazarus et al.	604	95		
	5,433,739	7/18/95	Shuijter et al.	607	99		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 92/05828	4/16/92	PCT	A61M	25/00		
	WO 96/32885	10/24/96	PCT	A61B	5/04		
	WO 96/34559	11/07/96	PCT	A61B	5/0402		
	WO 98/17190	4/30/98	PCT	A61B	18/00		
	0 682 910 A1	11/22/95	Europe	A61B	1/00		
	0 737 487 A2	10/16/96	Europe	A61M	25/01		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

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FORM PTO-602 (REV. 2-82)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 08/637,095	GROUP/ART UNIT 3739	ATTACHMENT TO PAPER NUMBER 29
NOTICE OF REFERENCES CITED				APPLICANT(S) <i>Luca et al</i>		

U.S. PATENT DOCUMENTS									
*	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE			
A									
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FOREIGN PATENT DOCUMENTS									
*	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT CITE. IN DWS. REFS.		
L	9315664	8/93	WO	Milner et al	G06	91			
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FORM PTO-892 (REV. 2-82)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 04621895		GROUP/ART UNIT 3739		ATTACHMENT TO PAPER NUMBER 51		51	
NOTICE OF REFERENCES CITED				APPLICANT(S) Lupin et al							
U.S. PATENT DOCUMENTS											
		DOCUMENT NO.				DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE	
A	5	4	3	1	6	7	7/10/95	Muller et al	055	41	
B	4	4	4	0	1	3	2/20/99	Strom, III	237	151	
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